

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ALLEN VINTORA MAAE.

CASE NO. 17-5726 RJB-TLF

Plaintiff,

ORDER ADOPTING REPORT AND RECOMMENDATION

PIERCE COUNTY SHERIFF and PIERCE
COUNTY MEDICAL DEPARTMENT,

Defendants.

THIS MATTER comes before the Court on the Report and Recommendation of U.S. Magistrate Judge Theresa L. Fricke. Dkt. 8. The Court has considered the Report and Recommendation, objections, if any, and the remaining record.

On September 11, 2017, Plaintiff, a *pro se* prisoner at the Pierce County Washington Jail, filed this civil rights case under 42 U.S.C. § 1983 in connection with a broken foot he alleges he suffered after stepping on a black “doorstopper” at the jail. Dkt. 1. While Plaintiff asserts that he is receiving proper medical care now, he maintains that the jail was negligent in providing him

1 timely care and for using black “doorstoppers.” *Id.* On December 29, 2017, Plaintiff was
2 informed of the deficiencies in his proposed complaint, and given leave to amend. Dkt. 7.
3 Plaintiff failed to respond, so on March 26, 2018, the instant Report and Recommendation (Dkt.
4 8) was filed. It recommends the case be dismissed without prejudice. Dkt. 8. Plaintiff did not
5 file any objections or a proposed amended complaint.

6 The Report and Recommendation (Dkt. 8) should be adopted and the case dismissed
7 without prejudice.

8 It is **ORDERED** that:

9 The Report and Recommendation (Dkt. 8) **IS ADOPTED**; and

10 This case **IS DISMISSED WITHOUT PREJUDICE**.

11 The Clerk is directed to send uncertified copies of this Order to U.S. Magistrate Judge
12 Theresa L. Fricke, all counsel of record and to any party appearing *pro se* at said party’s last
13 known address.

14 Dated this 24th day of April, 2018.

15 
16 ROBERT J. BRYAN
17 United States District Judge